

This column highlights promotions, transfers, hirings, awards won and other key personnel moves within the suburban real estate community. Send a brief biographical summary — including the towns of residence and employment and a black-and-white photo, if desired — to: Movers & Shakers, Observer & Eccentric Newspapers, 36251 Schoolcraft, Uvonia 48150. Our fax number is (313) 591-7279.

REAL ESTATE

THURSDAY, AUGUST 24, 1995 • PAGE 1 SECTION 4F

Realtor of the Year



Bill Clark, broker/owner and office manager of Clarkston Real Estate Services in that community, has been selected Realtor of the Year by the North Oakland County Board of Realtors.

Clark, president of the realty board, has earned a Graduate Realtor Institute designation. He has taught real estate classes at Oakland Community College and has served on Waterford's tax review board.

Last year, his agents produced more than \$60 million in sales.

Clark, married to Gwen and father to Stacey and Joe, lives in Waterford.

She Joins Re/Max

Carolyn Mansfield has joined Re/Max in the Hills, Bloomfield Hills, as a sales associate. She will concentrate on residential real estate in northern Oakland County.

Mansfield previously was affiliated with Jack Christensen Inc. and was a vice president and director of legal services and risk management for Schoettk Brothers in Southfield.

Drobot earns honor

Oleena Drobot of Ralph Manuel Associates in Farmington Hills has obtained the Leadership Training Graduate designation from the Women's Council of Realtors.

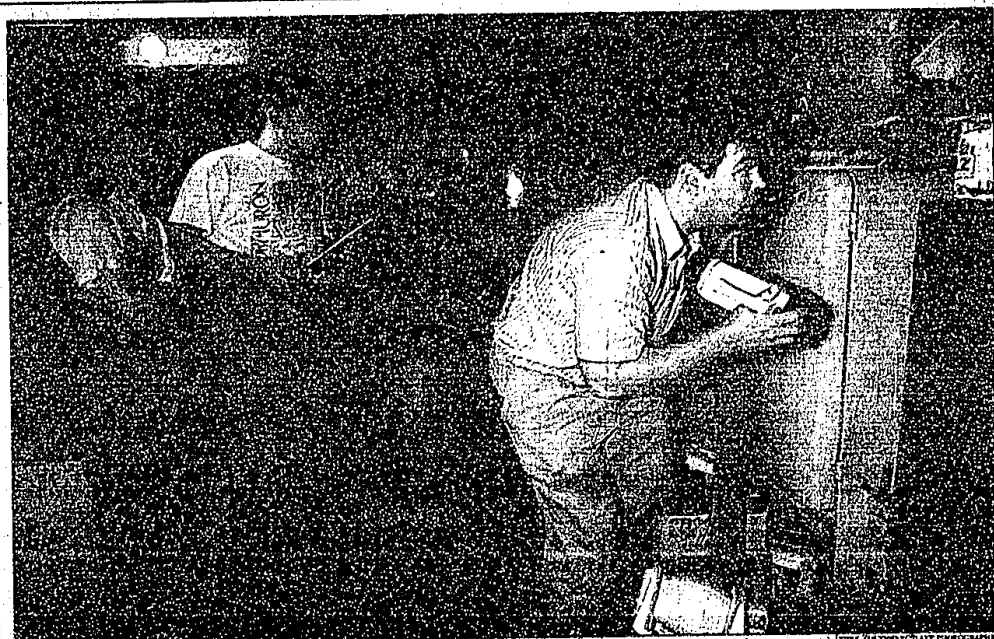
Required courses included excellence in communications, personal and professional power, group dynamics and meeting management, leadership through high performance, and public speaking skills.

Thomas joins ERA

Karen Thomas has joined ERA Bankers Realty in Farmington Hills as a sales associate.

Revers joins firm

Nancy Revers of Metamora has joined Clarkston Real Estate Services as a sales associate.



Checking Home inspector John McCormick explains furnace efficiency to Angie and Ken Schonk.

Inspector will tell you the truth

Because there are no perfect houses, there are house inspectors like John McCormick of Birmingham.

McCormick goes to work armed with a ladder, a large yellow flashlight, a heeping gas detector and a tiny tape recorder. It's all the equipment he needs to tell prospective buyers about the condition of the house they want to buy.

Sometimes his findings are disappointing. Other times they're a relief. And the experience is always educational, especially for first-time buyers like Ken and Angie Schonk.

The Schonks recently hired McCormick to inspect a house in Royal Oak that they planned to buy. During a two-hour tour of the house's interior and exterior, McCormick reviewed the condition of its heating, electrical and plumbing systems.

He evaluated the house's structure, checked the roof, told the Schonks how to prevent a wet basement and showed them the location of the main water valve.

McCormick has other home inspectors, also offered complimentary tips on a variety of subjects — from furnace maintenance to roofing improvements.

A house inspection is an objective

visual examination of the physical structure and systems of a house, from the roof to the foundation. It's usually performed for prospective house buyers after a purchase agreement has been signed.

In many cases, the purchase agreement is contingent upon the findings of a house inspector. Some real estate agents require house inspections with every sale.

The main purpose of a house inspection is to make sure a prospective buyer understands the condition of a house before buying it.

"I tell them exactly what to expect in a house," said Chris Kuharich, a home inspector who owns "The Inspector" in Canton.

A typical house inspection takes about two hours and costs about \$250. But the time and price can vary depending on the size and age of the house.

"There is no such thing as a perfect house," explained Chris Lee, an agent with Real Estate One in Royal Oak who listed the 1,100-square-foot Royal Oak house. But learning about a house's condition and the need for any major repairs before buying cuts down on unpleasant surprises later.

Most frequently found problems include leaking or old roofs, rot, loose wood, bad furnaces and electrical breaches, local house inspectors said.

"Problems only become a hassle when they surface later and nobody knows about them," said Jim Stevens, a real estate broker with Coldwell Banker Preferred in Plymouth.

Some municipalities, such as Westland, require a house to be checked by a city inspector when it is sold. This type of inspection checks for safety, sanitary and health hazards. It is valuable, but not as thorough as an inspection by a private house inspector.

Local real estate agents and inspectors say the number of house inspections performed has exploded during the last six years. Even some mortgage lenders now require house inspections.

"I think it has grown primarily because of the acceptance of the real estate industry," said Dan Wood, a building inspector and part owner of American Inspection in Clarkston.

"Most of the real professionals feel that it helps them to help their clients make a more sound decision."

For prospective buyers who want to choose a house inspector, "experience is the key," said Harold Weine of Alert Home Inspection Inc. in Southfield.

Don't shop prices. Instead, shop qualifications, he said. Those qualifications should include membership in the American Society of Home Inspectors,

a professional organization that requires rigorous professional and educational requirements, Weine said. Other local inspectors agreed.

But Kuharich played down the importance of ASHI membership. She described the organization as a "good old boys network." If an inspector is not a member, he or she is not necessarily a bad inspector, she said.

Rick Bowling, inspector and owner of AmeriSpec in Plymouth, said customers shopping for an inspector should ask if the inspector will get up on the roof. "There's just an awful lot of things you just can't see unless you're on the roof," he said.

McCormick said prospective buyers should be careful not to hire an inspector who has a home-improvement business and could be trying to sell his services instead of offer an objective house evaluation.

Also important: prospective buyers should show up for the inspection and ask lots of questions, said Beverly Cleme, associate real estate broker at RE/MAX in the Hills, Bloomfield Hills.

Unfortunately, many buyers and real estate agents don't take house inspections seriously, she said. "Many buyers don't show up for inspections... they're really missing out on the gist of the inspection."

Chemical sensitivities are a legitimate concern

REAL ESTATE QUERIES



ROBERT M. MALINER

Q. I am concerned about my homeowner association that uses pesticides on lawns over the objection of several residents who claim that they are "chemically sensitive" to the use of these pest control practices. I have been a consultant to the board and believe that they should be more conscious of the members' concerns in light of these circumstances. Do you have any opinion on this?

A. The Federal Fair Housing Act has been used as a basis by certain complaints to pursue community associations such as neighborhood organizations, condominium associations, land owners and municipalities to make reasonable accommodations for residents with disabilities. Being "chemically sensitive" to pesticides may well fall within the category of a disability. Recourse by a plaintiff can be to the Department of Housing and Urban Development which may, on its own, bring a suit in behalf of the plaintiff, and/or the complainant can pursue a private suit. In any event, complaints should be more minded of the fact that many of these residents may be chemically sensitive

and that they should adopt an integrated pest management program which includes non-chemical alternatives to pesticides; establish a pesticide free zone around chemically sensitive homeowners' homes; use pesticides only as a last resort, and only in limited amounts in areas actually infested with pests and, where possible, provide seven (7) days notice whenever a pesticide is used.

Q. I am writing you out of desperation because of my next door neighbor who is truly a neighbor from hell. We live in a coop and were promised peaceful enjoyment but our next door neighbor does everything she can to make our life miserable. She has "hood wined" the police and the Association and its management company who will not do anything about it. She calls the police on us, even though she has outdoor parties until 2:30 a.m., calls us names, does not abide by the rules, has an excessive number of vehicles, hangs on our walls, runs a loud fan, and does everything to make us at the brink. Other members have been forced to move. We have tried the police, management, our Board, HUD officials, lawyers, and now wonder whether you have some miracle up your sleeve.

A. There are obviously no easy answers to this very difficult, but pervasive problem which you and many other members of community associations share in common. Ultimately, the Cooperative has recourse against the neighbor assuming that it can prove the allegations of your complaints which, in many instances, are subjective, such as noise, name calling and the like. However you, as a member of the Cooperative, also have a cause of action against the neighbor for violations of the Cooperative Documents and rules, conducting a nuisance, etc. As in any civil proceeding, it is necessary for you to establish by a preponderance of the evidence that, in fact, there has been a violation of your rights and/or that the neighbor has violated the rules and regulations. Unfortunately, it simply boils down to you being in a position to decide whether you wish to seek legal recourse or move to the extent that you can sell your Cooperative unit. If there are other neighbors who are similarly situated as you, I would band together and form a committee, retain an attorney, and have the attorney write the cooperative, its managing agent, and your neighbor advising them of the various legal remedies which you have.

Robert M. Maliner is a Birmingham area attorney concentrating his practice in the areas of condominiums, real estate, corporate law and litigation.

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